

CITY OF MINNEAPOLIS

# Ordinance Amendments to Prevent Youth Tobacco Use

**Minneapolis Health Department  
Health, Environment and  
Community Engagement  
June 8, 2015**

# Recommended Amendments to Minneapolis Tobacco Ordinance

Amend the Minneapolis Code of Ordinances Title 13, Chapter 281 to:

- Limit sales of flavored tobacco products to tobacco products shops
- Require tobacco stores to prohibit underage youth from entering
- Set a minimum price for cigar products in all tobacco outlets



# Responding to Community Concerns

## In the Community:

- Minneapolis Youth Congress and community-based groups sponsored conversations and shared concerns with parents, youth, leaders, and the media
- NorthPoint's Breathe Free Program convened Minneapolis Tobacco Summit in July 2014

## Previously Heard By City Council:

- Minneapolis Youth Congress presented to HECE in May and July 2014
- Minneapolis Public Health Advisory Committee submitted letter supporting Youth Congress recommendations
- Minneapolis City Council acted on e-cigarette recommendation

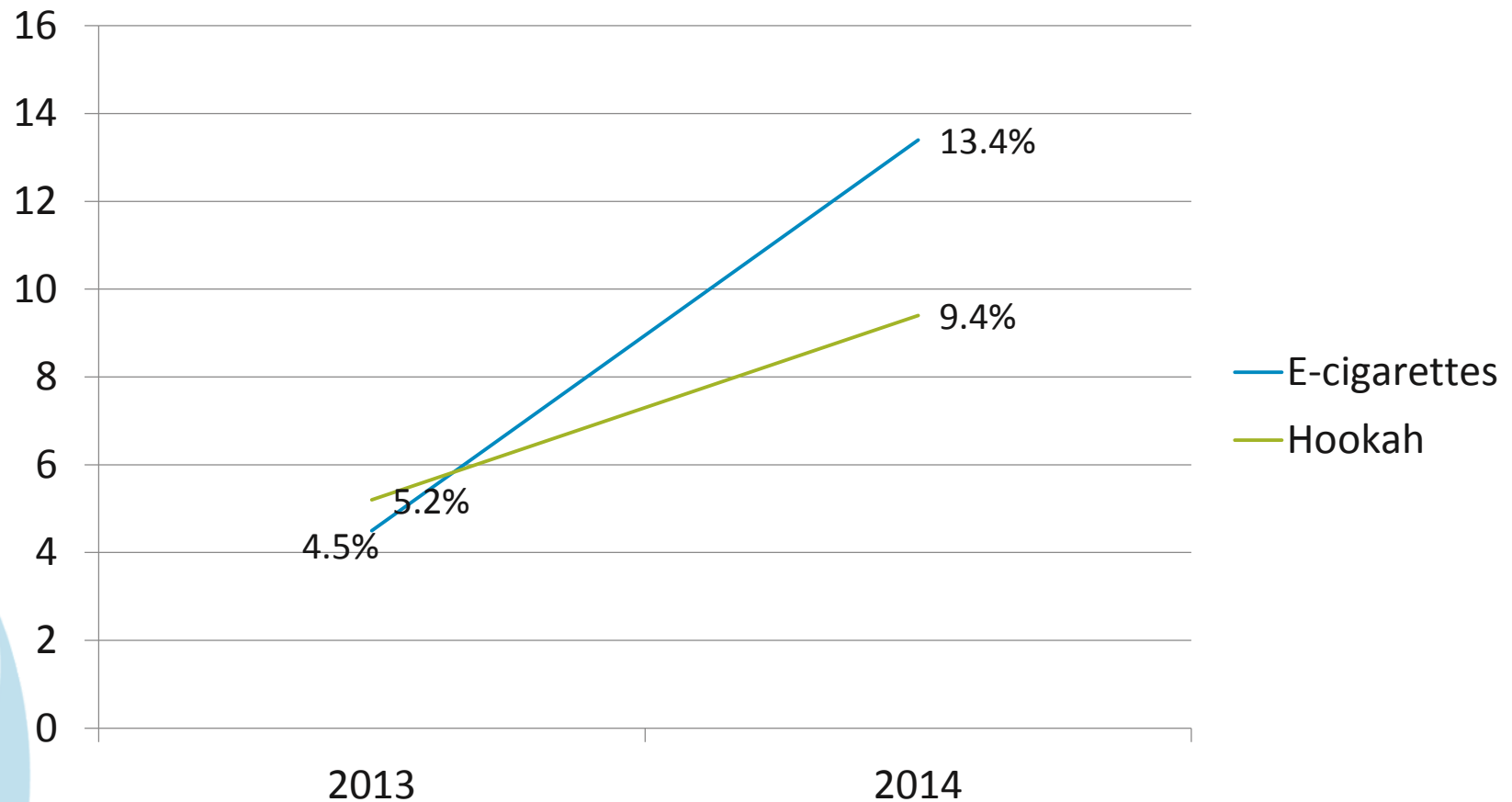
# MN Youth Tobacco Use Rates

**Minnesota high school students use of various tobacco products**  
(2014 MN Teen and Tobacco Survey)

	<b>Ever Tried</b>	<b>Used in last 30 days</b>
Cigarette	31.5%	10.6%
Cigars, cigarillos, little cigars	24.2%	8.2%
Smokeless tobacco	14.2%	6.2%
Hookah	18.4%	5.4%
E-cigarettes	28.4%	12.9%
<b>Any tobacco use</b>	<b>40.2%</b>	<b>24.2%</b>



# National Current Use of Hookah and E-Cigarettes Among High School Students



# Minneapolis Surveys and Interviews

- Youth tobacco users use flavored products “always” or “most of the time”
- Flavor and novelty contribute to popularity of cigars, e-cigarettes and hookah
- Many people don’t understand the dangerous health effects of shisha and flavored cigars



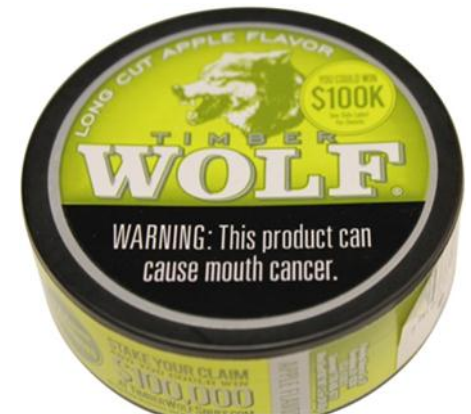
# Preventing Youth Use

- Nicotine affects adolescent brain development
- Nearly all smokers start before age 18
- Easier to prevent initiation than quit once addicted
- Long term health impact

## Drivers of Youth Tobacco Use

- Flavored products
- Cheap prices
- Wide availability
- Accessibility to youth

# Flavored Tobacco Products





# Look Like Candy



# Using Flavor in Tobacco Products

## Quotes from Internal Tobacco Industry Documents

“...sweetness can impart a different delivery taste dimension which younger adults may be receptive to”

“...[i]t’s a well known [sic] fact that teenagers like sweet products”

“...flavored products would have appeal in the under 35 age group, especially in the 14-24 group.”

## Research on flavor profiles

Same flavor chemicals used in popular candy and drink products like LifeSavers, Jolly Ranchers and Kool-Aid are found in sweet-flavored tobacco cigar and other products. New England Journal of Medicine, May 7, 2014



# Affordability

## Cheap price of cigar products



## Price Matters to Youth

- Youth are more price sensitive than adults
- Raising prices is evidence-based best practice for reducing tobacco use
- A 10% increase in real price reduces number of youth smokers by 6-7%

# Widely Available

- Density of tobacco outlets and advertising is associated with higher rates of youth tobacco use
- Flavored products are widely available in Minneapolis
  - In north Minneapolis, Breathe Free Youth found flavored cigarillos and flavored smokeless tobacco in 83% and 53% of stores, respectively.



# Accessible to Youth

Despite compliance and enforcement activities, underage youth can illegally purchase tobacco products from stores.

- 18% of tobacco users reported that buying directly from stores was the most common way of getting tobacco.

Minneapolis Youth Congress Survey

- 207 of the 313 youth tobacco users surveyed in north Minneapolis reported purchasing tobacco products from stores.
  - 56% of them reported purchasing from stores “always” or “most of the time.”



# Proposed Ordinance Amendments Address these Factors

- **Flavor and Availability:** Limits sales of flavored tobacco products to tobacco products shops
- **Access:** Requires that tobacco products shops prohibit underage youth from entering
- **Price:** Sets a minimum price for cigar products



# Proposed Ordinance Amendment on Flavor

- Limits sales of flavored tobacco products to tobacco products shops
- Applies to little cigar and cigarillo products, e-juice, shisha, smokeless tobacco and other non-cigarette tobacco products
- Flavor tobacco product = distinguishable taste or aroma other than tobacco



# Exemption

- Menthol-flavored versions of these products can still be sold by all stores:
  - E-juice
  - Shisha
  - Smokeless tobacco
  - Snus
  - Wrappers
  - Cigars, cigarettes
- Stores can also sell all unflavored tobacco products (cigars, cigarettes, etc)





# Impact of Flavor Restrictions

## Number of Stores Selling Flavored Tobacco Products

### Current Availability



**355  
Outlets**

### After Ordinance



# Proposed Ordinance Amendment on Access

## Prevent Youth from Entering Tobacco Products Shops

### **Currently**

- Prohibits people under age 18 from entering if “self-service” display

### **Proposed**

- Prohibits people under age 18 from entering (regardless of display)

# Proposed Ordinance Amendment on Price for Cigar Products

- Sets a minimum price of \$2.60 per unit after price discounts; before taxes
  - Single      \$2.60
  - 2-Pack      \$5.20
  - 3-Pack      \$7.80
  - 4-Pack +    \$10.40 minimum
- Before taxes means the actual retail price to which sales taxes are applied
- After price discounts means minimum price after coupons, “buy one, get one free” and other discounts
- Applies to:
  - flavored and non-flavored cigars
  - all tobacco license holders



# Impact on Price

	Now		Proposed
2-pack flavored	\$0.99	→	\$ 5.20
3-packs flavored	\$0.99	→	\$ 7.80
5 packs non-flavored cigars	\$5.49	→ at least	\$10.40



# Effective Date and Enforcement

- Effective: September 1, 2015
- Initial inspections
  - September-October 2015
- Annual license inspections and youth compliance checks
- Upon complaint



# Penalties

- Administrative citations: \$200 for first offense and doubling thereafter; or
- Misdemeanor criminal prosecution
- Repeated offenses subject license holder to potential suspension, revocation, nonrenewal or other adverse license action



# Public Comments Received

- 2 phone calls, 3 letters, 1 email from stores
- 5 of 6 opposed the changes citing loss of revenue and ineffectiveness in curtailing youth use



# Questions?

